

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard Rodenbusch, Daniel N. Duncan
Assignee: Austin Logistics Incorporated
Title: Method and System for Distributing Outbound Telephone Calls
Serial No.: 09/901,749 Filed: July 9, 2001
Examiner: Harry S. Hong Group Art Unit: 2643
Docket No.: ALI 0106 Customer No.: 33438

August 15, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBLVIAE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING
SECOND APPLICATION**

Sir:

Petitioner, Austin Logistics Incorporated, a Texas corporation having a place of business at 2901 Via Fortuna, Suite 300, Austin, Texas 78746 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on Claims 58-104 of the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/095,513, filed on March 12, 2002. Petitioner hereby agrees that any patent with Claims 58-104 so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second

application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event any such patent granted on the second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

In compliance with 37 C.F.R. §1.20(d), the fee of for this Terminal Disclaimer has been paid electronically via the electronic filing system. The commissioner is authorized to charge any additional fees necessary or credit any overpayment to Deposit Account No. 502264.

The undersigned represents that he/she is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on August 15, 2006.

/Robert W. Holland/

Attorney for Applicant(s)

Respectfully submitted,

/Robert W. Holland/

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